

**APPROVED MINUTES**  
**FLATHEAD COUNTY PLANNING BOARD**  
**April 12, 2023**

Notice: These minutes are paraphrased to reflect the proceedings of the Flathead County Planning Board, per  
MCA 2-3-212

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. in 2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Suite 200 Kalispell, Montana. Board members present were Jeff Larsen, Greg Stevens, Sandra Nogal, Verdell Jackson, Gary Votapka, and Elliot Adams. Buck Breckenridge and Kevin Lake had excused absences. Erik Mack, Erin Appert, Zachary Moon, and Larissa Van Riet represented the Flathead County Planning & Zoning Office.

There were 34 members of the public in attendance at the meeting.

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[05:59:35 PM \(00:00:04\)](#)

**A. Call to order and roll call**

[Citizen Member - Elliot Adams: Present](#)

[Citizen Member - Gary Votapka: Present](#)

[Citizen Member - Greg Stevens: Present](#)

[Citizen Member - Jeff Larsen: Present](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Present](#)

[Citizen Member - Verdell Jackson: Present](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[06:00:25 PM \(00:00:55\)](#)

**B. Pledge of Allegiance**

[06:00:43 PM \(00:01:13\)](#)

**C. Approval of the March 8, 2023 meeting minutes**

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[06:02:33 PM \(00:03:03\)](#)

**D. Public comment on public matters that is within the jurisdiction of the Planning Board (2-3-103 M.C.A.)**

Pamela Holmquist, Flathead County Commissioner, thanked the Board for showing up and doing the work.

[06:03:45 PM \(00:04:15\)](#)

**E. Board members disclose any conflict of interests**

Elliot Adams, stated that he has a conflict with FZC 23-03 (Agenda Item #3) and will be stepping down.

[06:04:14 PM \(00:04:44\)](#)

**F. Public Hearings: The Flathead County Planning Board will hold a public hearing on the following agenda item. Following the hearing and Board discussion, the Board may make a recommendation to the Board of County Commissioners for final action:**

[06:05:27 PM \(00:05:57\)](#)

**1.FPP-23-01** A request from Sands Surveying, Inc., on behalf of C & J Land Development, LLC, for preliminary plat approval of Bitterroot Flats North Subdivision, a proposal to create four (4) residential lots on 41.974 acres. The proposed lots would be served by individual septic systems and individual wells. The property is located off Lower Lost Prairie Road, Marion, MT.



Staff Report



Application



Preliminary Plat Map

Zachary Moon reviewed Staff Report FPP-23-01 for the Board.

Applicant:

Donna Valade, Sands Surveying, 2 Village Loop. The Applicant agrees with Staff Report. One thing that they did not agree with was the offsite road improvement length, and this issue has been addressed by Zachary. Discussed the issue of the solid waste disposal.

Agency Comment: None

Public Comment: None

[06:18:06 PM \(00:18:36\)](#)

**Motion to Adopt Staff Report for FPP-23-01 as Findings-of-Fact**

Citizen Member - Gary Votapka: Motion

Citizen Member - Verdell Jackson: 2nd

Citizen Member - Elliot Adams: Approve

Citizen Member - Gary Votapka: Approve

Citizen Member - Greg Stevens: Approve

Citizen Member - Jeff Larsen: Approve

Citizen Member - Kevin Lake: Absent

Citizen Member - Sandra Nogal: Approve

Citizen Member - Verdell Jackson: Approve

Citizen Member - Buck Breckenridge: Absent

[06:19:37 PM \(00:20:07\)](#)

**Motion to forward a positive recommendation of FPP-23-01 to the Board of County Commissioners**

[Citizen Member - Gary Votapka: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[06:20:43 PM \(00:21:13\)](#)

- 2.FZC-22-29** A zone change request from Michael Alan Avrck, for property within the Evergreen Zoning District. The proposal would change the zoning on a parcel of land located off River Road near Kalispell, MT, from R-1 (Suburban Residential) to RA-1 (Residential Apartment). The total acreage involved is approximately 1.94 acres.

 [Staff Report](#)

 [Application](#)

 [Vicinity Map](#)

Larissa Van Riet reviewed Staff Report FZC-22-29 for the Board.

**Applicant:**

Rick Breckenridge, Breckenridge Surveying & Mapping, 2302 Highway 2 East #6., spoke on behalf of applicant. He noted changes happening in the Valley and the need for more housing. He mentioned how old the Evergreen zoning district (precedes Evergreen Water & Sewer) is and how it used to be 1-acre minimums in order to accommodate sewage/well facilities. He talked about new zoning tools that can combat some of the sprawl. He spoke to the floodplain issue and how the southeast portion of property is out of the floodplain and how part of project will be located there. They have completed a topographic survey. He spoke to housing crunch, how trailer parks are all full, what has been historically RV is now permanent housing. He also noted the cleanliness of Evergreen, and how people have come to respect each other. The Applicant is hoping to do smaller apartments with not large footprints. He spoke to low traffic volumes on River Road, that the road is paved and 24 feet wide. He noted the project is in an appropriate location with amenities close, paved roads, and municipal wastewater treatment. He is confident they'll be able to address the floodplain issues.

Agency Comment: None

**Public Comment:**

Shawn Kaup, 35 River Road, spoke in opposition of the proposal. He spoke to the floodplain. He is a direct neighbor and has lived on his property for over two and half years, and the river floods this property every year. Last year his whole field, his basement, and the field of the proposed property flooded. Where will runoff go if fill is brought in? Spoke to increased traffic on River Road.

Judith Balior, 41 River Road, spoke in opposition of the proposal. She has lived there for 30 years and is a direct neighbor to proposed property. She stated that the traffic volume on River Rd is getting out of control. She has concerns about the parking for apartments. She wonders where will the water supply come from because Evergreen Water does not reach property. She is wondering when all the apartments will stop, is it really needed in this area.

Vincent Lyons, 101 W. Cottonwood Drive, spoke in opposition of the proposal. His reason for moving to this neighborhood was seclusion. He is wondering how many units will be put in? He has noticed an increase in traffic in last few months, and he commented on the bend in the road that is terrible in winter conditions.

Steve Berg, 97 W. Cottonwood Drive, spoke in opposition of the proposal. He has been in this neighborhood since 1998. He spoke to the traffic and how people use West Cottonwood and River Road to bypass traffic lights on Highway 2. He walks miles within the neighborhood regularly and has noticed the significant increase in traffic.

Nikki Auchard, 41 River Road, spoke in opposition of the proposal. She has questions about data pulled about traffic, because there has been a new subdivision introduced and there has been an increase in traffic since then. She has concerns with schools. Evergreen has one elementary school, and how will they absorb the new students. She is concerned at the small size of the property and placement of apartments. She grew up right next to the proposed property, and would like to see horses continue to graze there. She believes people that need housing should find housing in places where there are already openings.

Matt Auchard, 41 River Road, spoke in opposition of the proposal. He touched on lack of privacy issue.

Nikki Kaup, 35 River Road, spoke in opposition of the proposal. She spoke to traffic as a result of the new Siemens subdivision. They own livestock that they graze in the front of their property, adjacent to the proposed property. Apartments will impact the livestock and those living around them. She spoke to floodplain issues and her experience with flooding in the area.

Kalvin Smith, 49 River Road, spoke in opposition of the proposal. He asked, when is enough, enough? He asked, are we going to keep packing people in? He stated that housing prices are not our problem, we have to deal with repercussions.

#### Applicant Rebuttal

Rick Breckenridge, He spoke to traffic, mentioning that this is just a zone change, and that he relied on traffic counts from the County Road and Bridges Department. He stated that the traffic discussion is better left for when real plans are formed for the development. He mentioned he can't stop people speeding, people are going to speed regardless. Spoke to proliferation of sump pumps in Evergreen. He stated that groundwater seepage is not a flood event. He stated that there will be a public water supply system for the apartments and that will be addressed once they have a project. He noted that someone else's concept of what someone else should do with their property is just an opinion. He mentioned how the Board would see the project once a plan has been developed. He spoke to how his client wants to invest in the community and provide good housing.

[06:58:29 PM \(00:58:59\)](#)

**Motion to Adopt Staff Report for FZC-22-29 as Findings-of-Fact**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[06:59:15 PM \(00:59:45\)](#)

**Motion to forward a positive recommendation of FZC-22-29 to the Board of County Commissioners**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:08:08 PM \(01:08:38\)](#)

- 3.FZC-23-02** A zone change request from Laurie L. Adams, with technical assistance from Breckenridge Surveying and Mapping, Inc., for property located within the Evergreen Zoning District. The proposal would change the zoning on a parcel of land located at 303 Solberg Drive near Kalispell, MT from R-2 (One-Family Limited Residential) to R-1 (Suburban Residential). The total acreage involved in the request is 1.54 acres.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Erin Appert reviewed Staff Report FZC-23-02 for the Board.

Applicant:

Rick Breckenridge, Breckenridge Surveying & Mapping, 2302 Highway 2 East #6. He stated zoning was adopted after the property was platted. He stated the property could be further developed, however, the applicant wants to bring the property into conformance with what has been there prior to the adoption of zoning. He discussed the goals of the R-1 zoning designation and the applicant's intent to protect Spring Creek. He mentioned the comment from Evergreen Water & Sewer District regarding a conservation easement. He stated this zone change is the first step.

Agency Comment: None

Public Comment: None

[07:13:42 PM \(01:14:12\)](#)

**Motion to Adopt Staff Report for FZC-23-02 as Findings-of-Fact**

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:14:25 PM \(01:14:55\)](#)

**Motion to forward a positive recommendation of FZC-23-02 to the Board of County Commissioners**

[Citizen Member - Elliot Adams: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:15:25 PM \(01:15:55\)](#)

- 4.FZC-23-03** A zone change request from J and E Properties LLC, for property located in the Evergreen Zoning District. The proposal would change the zoning on a parcel of land located at 418 Maple Drive, Kalispell, MT from R-1 (Suburban Residential) to RA-1 (Residential Apartment). The total acreage involved in the request is approximately 0.418 acres.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Larissa Van Riet reviewed Staff Report FZC-23-03 for the Board.

Applicant:

Josiah Baer, 2909 Danford Lane, spoke to his plan of building three smaller duplexes for a total of six units on the proposed property. He pointed out RA-1 zoning adjacent to the proposed property on the northeast. He will be removing current buildings from property and cleaning property up. He mentioned he has spoken with Evergreen Water & Sewer regarding their standards.

Agency Comment: None

Public Comment: None

[07:19:34 PM \(01:20:04\)](#)

**Motion to Adopt Staff Report for FZC-23-03 as Findings-of-Fact**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Sandra Nogal: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:20:06 PM \(01:20:36\)](#)

**Motion to forward a positive recommendation of FZC-23-03 to the Board of County Commissioners**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

- 5.FZC-23-05** A zone change request from Location Acquisitions LLC, with technical assistance from KLJ Engineering, for property within the Two Bridges Zoning District. The proposal would change the zoning on parcels located at 7200 & 7240 Highway 2 East near Columbia Falls, MT from SAG-10 (Suburban Agricultural) to R-1 (Suburban Residential). The total acreage involved in the request is approximately 113.05 acres.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

**This agenda item was pulled by the property owner prior to tonight's hearing and has been rescheduled to the May 10, 2023 Planning Board Meeting.**

[07:21:32 PM \(01:22:02\)](#)

- 6.FPP-23-03** A request from Will MacDonald, on behalf of Stillwater Mountain Ranch, LLC, with technical assistance from Sands Surveying, Inc. and Foley Engineering, for a material change to the previously approved preliminary plat of The Homestead-Chinook Ridge Subdivision. The material change would allow the subdivision to be developed in two phases. The property is located at 4538 and 4542 Mountain Home Road.



[Staff Report](#)



[Application](#)



[Preliminary Plat Map](#)

Erin Appert reviewed Staff Report FPP-23-03 for the Board.

Applicant: None

Agency Comment: None

Public Comment: None

[07:27:39 PM \(01:28:09\)](#)

**Motion to Adopt Staff Report for FPP-23-03 as Findings-of-Fact**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:28:13 PM \(01:28:43\)](#)

**Motion to forward a positive recommendation of FPP-23-03 to the Board of County Commissioners**

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:29:41 PM \(01:30:11\)](#)

- 7.FZTA-23-01** A publicly initiated text amendment to amend Section 5.11 of the Flathead County Zoning Regulations regarding the performance standards for short-term rental housing.



Staff Report



Proposed Short-term Rental Text Amendment

Erin Appert reviewed Staff Report FZTA-23-01 for the Board.

Agency Comment: None

Public Comment: None



[07:31:54 PM \(01:32:24\)](#)

**Motion to Adopt Staff Report for FZTA-23-01 as Findings-of-Fact**

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[07:32:36 PM \(01:33:06\)](#)

**Motion to forward a positive recommendation of FPP-23-01 to the Board of County Commissioners**

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Disapprove](#)

[Citizen Member - Gary Votapka: Approve](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Absent](#)

[08:13:21 PM \(02:13:51\)](#)

**G. Old Business**

Lakeside Community Council would like another workshop – Schedule for June following regular meeting.

West Valley Neighborhood Plan workshop – Schedule tentatively for May following regular meeting.

[08:16:06 PM \(02:16:36\)](#)

**H. New Business**

[08:16:08 PM \(02:16:38\)](#)

**I. Adjournment**

Approved as revised on 5/10/2023 on a Roll Call Vote 5 to 2 – Lake and Breckenridge Abstained